

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-CR-20377-DPG

UNITED STATES OF AMERICA

V.

LETHERIO JOHNSON,

Defendant.

/

FACTUAL PROFFER

The United States of America, Letherio Johnson (“defendant”), and the defendant’s counsel, agree that, had this case gone to trial, the United States would have proven that the following facts, among others, occurred within the Maritime and Territorial Jurisdiction of the United States, and elsewhere, with Miami-Dade County, in the Southern District of Florida, being the district to which the defendant was first brought, beyond a reasonable doubt, and that such facts are sufficient to establish the defendant’s guilt as to the offenses charged in the Indictment.

On August 8, 2022 the U.S. Coast Guard (“USCG”) Cutter MANOWAR detected a vessel on a radar and requested assistance from USCG Station Miami and CBP Air and Marine Operations (“AMO”) in interdicting the vessel. Approximately six nautical miles east of Haulover Inlet, in Miami, Florida, inside of the territorial waters of the United States, USCG and CBP AMO identified two vessels—one vessel was a 25’ Boston Whaler (“Vessel 1”) and another was a 25’ blue Paramount (“Vessel 2”) (collectively “the vessels”). The defendant, a Bahamian citizen, was the operator of Vessel 1.

Law enforcement interdicted the vessels and discovered twenty-three (23) people aboard, including the defendant and the driver of Vessel 2. None of the aliens on board the vessels, including the defendant, had visas, or were otherwise authorized to enter the United States. One of

the aliens on board the vessel was a person with the initials W.H. ^{MM} ^{JJA}

In a post-*Miranda* interview, the defendant admitted to being the captain of Vessel 1. The defendant also stated that the group departed Bimini, The Bahamas and were destined for Miami, Florida. The defendant stated he was to be paid \$10,000 for driving the vessel. The defendant also knew that none of the migrants on the vessels had proper documentation to enter the United States.

The facts described above are not intended to be a complete recitation of the facts of this case and are merely intended to form a basis for the defendant's knowing, willful, and intentional plea of guilty.

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

Date: 1/10/23

By: 
ARIELLE KLEPACH
ASSISTANT UNITED STATES ATTORNEY

Date: 1/10/23

By: 
JED DWYER
ATTORNEY FOR DEFENDANT

Date: 1/10/23

By: 
LEATHERIO JOHNSON
DEFENDANT